

Inconsistent laws re-
pealed.

be retroactive and the provisions hereof shall take effect upon date of approval thereof, except as otherwise provided for herein, and all Acts or parts of Acts contrary to the provisions of this Act or inconsistent therewith be, and the same are hereby, repealed.

Approved, July 2, 1926.

July 2, 1926.
[H. R. 10361.]
[Public, No. 447.]

CHAP. 722.—An Act To authorize the Director of the United States Veterans' Bureau to grant an easement to the Tuskegee Railroad Company.

Veterans' Hospital,
Tuskegee, Ala.
Right of way across,
granted to Tuskegee
Railroad Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the United States Veterans' Bureau is authorized to grant on behalf of the United States to the Tuskegee Railroad Company, without compensation, an easement over such strip of land fifty feet in width as the director may designate in the tract now occupied in part by the United States Veterans' Hospital Numbered 91, Tuskegee, Alabama; such easement to be subject to such reasonable requirements as the director may impose for the protection of the hospital and the interests of the United States, and to continue as long as such strip of land is actually occupied and used by the grantee, its successors or assigns, for the construction or operation and maintenance of an extension of its railroad.

Approved, July 2, 1926.

July 2, 1926.
[H. R. 12175.]
[Public, No. 448.]

CHAP. 723.—An Act To amend the World War Veterans' Act, 1924.

World War Veterans'
Act, 1924.
Vol. 43, p. 610, amend-
ed.

General powers of Di-
rector of Bureau.

To utilize existing fa-
cilities of all Govern-
ment agencies.

Additional personnel
equipment, etc., to be
furnished by.

Further hospitaliza-
tion, etc., if Govern-
ment facilities unsatis-
factory.

Præiso.
Application to women
veterans.

Improving and ex-
tending Government
hospital, etc., facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 10. The director, subject to the general directions of the President, shall be responsible for the proper examination, medical care, treatment, hospitalization, dispensary, and convalescent care necessary and reasonable aftercare, welfare of, nursing, vocational training, and such other services as may be necessary in the carrying out of the provisions of this Act, and for that purpose is hereby authorized, at the direction of the President or with the approval of the head of the department concerned, to utilize the now existing or future facilities of the United States Public Health Service, the War Department, the Navy Department, the Interior Department, the National Home for Disabled Volunteer Soldiers, and such other governmental facilities as may be made available for the purposes set forth in this Act; and such governmental agencies are hereby authorized to furnish such facilities, including personnel, equipment, medical, surgical, and hospital services and supplies as the director may deem necessary and advisable in carrying out the provisions of this Act, in addition to such governmental facilities as are hereby made available.

"When, in the opinion of the director, the facilities and services utilized for the hospitalization, medical care, and treatment for beneficiaries under this Act are unsatisfactory, the director shall make arrangements for the further hospitalization, care, and treatment of such beneficiaries by other means: *Provided*, That the director is hereby authorized to hospitalize women veterans entitled to hospitalization under the provisions of this Act and amendments thereto, in other than Government hospitals.

"In the event that there are not sufficient and satisfactory Government hospital and out-patient dispensary facilities for the proper

medical care and treatment of beneficiaries under this Act, and the director deems it necessary and advisable to improve existing facilities or to secure additional Government facilities, he may, within the limits of appropriations made for carrying out the provisions of this paragraph, alter, improve, or extend existing governmental facilities, or acquire additional facilities by purchase or otherwise: *Provided, however,* That no alteration, improvement, or extension which will materially increase the bed capacity for patients of any hospital or institution shall be made, nor shall any new facilities be acquired without the approval of the President. Such new property and structures as may be improved, extended, or acquired shall become part of the permanent equipment of the United States Veterans' Bureau or of some one of the now existing agencies of the Government, including the War Department, Navy Department, Interior Department, Treasury Department, the National Home for Disabled Volunteer Soldiers, in such way as will best serve the present emergency, taking into consideration the future services to be rendered the veterans of the World War, including the beneficiaries under this Act.

proviso.
Approval of President required.

New property to become permanent equipment of Bureau, or other agency.

"In the event Government hospital facilities are insufficient or inadequate the director may contract with State, municipal, or, in exceptional cases, with private hospitals for such medical, surgical, and hospital services and supplies as may be required, and such contracts may be made for a period of not exceeding three years and may be for the use of a ward or other hospital unit or on such other basis as may be in the best interest of the beneficiaries under this Act.

Contracts for outside medical, etc., services if Government facilities inadequate.

"There are here permanently transferred to the Veterans' Bureau all hospitals now or formerly under the jurisdiction of the Public Health Service or of the Treasury Department, the operation, management, or control of which have heretofore been transferred by the President to said bureau pursuant to the authority contained in section 9 of the Act entitled "An Act to establish a Veterans' Bureau and to improve the facilities and service of such bureau and further to amend and modify the War Risk Insurance Act," approved August 9, 1921.

Public Health, etc., hospitals transferred to Bureau permanently.

Vol. 42, p. 150.

SEC. 2. That section 21 of the World War Veterans' Act, as amended, is hereby amended to read as follows:

Vol. 43, p. 613, amended.

SEC. 21. (1) That where any payment under this Act is to be made to a minor, other than a person in the military or naval forces of the United States, or to a person mentally incompetent, or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian, curator, or conservator by the laws of the State of residence of claimant, or is otherwise legally vested with the care of the claimant or his estate: *Provided,* That as to cases arising in the District of Columbia where in the opinion of the director any guardian, curator, conservator, or other person is acting as fiduciary in such a number of cases as to make it impracticable to conserve properly the estates or to supervise the persons of the wards, the director is hereby authorized to refuse to make future payments in such number of cases as he may deem proper: *Provided further,* That prior to receipt of notice by the bureau that any such person is under such other legal disability adjudged by some court of competent jurisdiction, payment may be made to such person direct: *Provided further,* That for the purpose of payments of benefits under Title II hereof, where no guardian, curator, or conservator of the person under a legal disability has been appointed under the laws of the State of residence of the claimant, the director shall determine the

Payments to minors, incompetents, etc.

To regular guardians, etc.

Provisos.
Action in District of Columbia, if guardian, etc., has too many cases to be properly cared for.

Payments prior to notice of legal disability.

Where no legal guardian, etc., appointed.

person who is otherwise legally vested with the care of the claimant or his estate.

Notice to court on failure of guardian, etc., to properly execute his duties, etc.

Proriso.
Suspension of guardian, etc., failing to render accounts.

Payment of court expenses of investigations, etc.

Vol. 43, p. 614, amended.

Amounts unpaid at death payable to personal representative.

If \$1,000 or less, and no legal representative appointed.

Proriso.
Escheat provision.

Vol. 43, p. 615, amended.

No recovery of payments to beneficiary, if without fault.

Reimbursement to Government insurance fund from current appropriation.

New section.
Vol. 43, p. 615, amended.

Payment for fire losses of personal property in Bureau hospitals.

(2) Whenever it appears that any guardian, curator, conservator, or other person is not in the opinion of the director properly executing the duties of his trust or has collected or is attempting to collect fees, commissions, or allowances that are inequitable or are in excess of those allowed by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then and in that event the director is hereby empowered by his duly authorized attorney to appear in the court which has appointed such fiduciary and make proper presentation of such matters to the court: *Provided*, That the director in his discretion may suspend payments to any such guardian, curator, conservator, or other person who shall neglect or refuse, after reasonable notice, to render an account to the director from time to time showing the application of such payments for the benefit of such minor or incompetent beneficiary.

Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment or removal of any guardian, curator, conservator, or other person legally vested with the care of the claimant or his estate, or in connection with the administration of such estates by such fiduciaries, when such payment is authorized by the director.

SEC. 3. That section 26 of the World War Veterans' Act, 1924, approved June 7, 1924, as amended March 4, 1925, is hereby amended to read as follows:

"SEC. 26. That the amount of the monthly installments of compensation, yearly renewable term insurance, or accrued maintenance and support allowance which has become payable under the provisions of Titles II, III, or IV hereof, but which has not been paid prior to the death of the person entitled to receive the same, may be payable to the personal representatives of such person, or in the absence of a duly appointed legal representative where the combined amounts payable are \$1,000 or less, the director shall allow and pay such sum to such person or persons as would under the laws of the State of residence of the decedent be entitled to his personal property in case of intestacy: *Provided*, That in cases where the estate of the decedent would escheat under the laws of the place of his residence, such installments shall not be paid to the estate of the decedent but shall escheat to the United States and shall be credited to the appropriation from which the original award was made."

SEC. 4. That section 28 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 28. There shall be no recovery of payments from any beneficiary who, in the judgment of the director, is without fault on his part, and where, in the judgment of the director, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience.

"When under the provisions of this section the recovery of a payment made from the United States Government life insurance fund is waived, the United States Government life insurance fund shall be reimbursed for the amount involved from the current appropriation for military and naval insurance."

SEC. 5. That a new section be added to Title I of the World War Veterans' Act, 1924, approved June 7, 1924, to be known as section 31, to read as follows:

"SEC. 31. The Veterans' Bureau shall, under regulations to be prescribed by the director, reimburse beneficiaries hospitalized or

who have been hospitalized in Veterans' Bureau hospitals for any loss of personal effects heretofore or hereafter sustained by fire while such effects are or were stored in designated locations in Veterans' Bureau hospitals."

SEC. 6. That a new section be added to Title I of the World War Veterans' Act, 1924, as amended, to be known as section 33, and to read as follows:

"SEC. 33. The director, in his discretion, may provide courses of instruction for the professional personnel of the bureau and may detail employees to attend the same, and may detail not more than 2 per centum of such professional personnel to attend professional courses conducted by other than bureau agencies, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such detail, including transportation: *Provided, however,* That travel or instruction outside the continental limits of the United States shall not be authorized under this section."

SEC. 7. That section 200 of the World War Veterans' Act, 1924, approved June 7, 1924, as amended, is hereby amended to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided,* That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this Act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided,* That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amoebic dysentery developing a 10 per centum degree of disability or more in accordance with the provisions of subdivision (4) of section 202

New section.
Vol. 43, p. 1304,
amended.

Courses of instruction
for professional personnel
of Bureau.

Proviso.
Outside travel, etc.,
not authorized.

Compensation for
death or disability.

Officers, enlisted
men, etc., entitled to,
for injury or disease in
service after April 6,
1917, etc.
Vol. 43, p. 1304,
amended.

Payment to person or
dependent.

Misconduct excep-
tion.

Provisos.
Paralysis, etc., allow-
ance.

Soundness on en-
trance inferred if in
active service prior to
July 2, 1926, and on or
before November 11,
1918.

Recorded defects ex-
cepted.

Specified diseases de-
veloped prior to Jan-
uary 1, 1925, presumed
as incurred in service.
Spinal meningitis
added.

of this Act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per centum degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim."

Claim may be allowed later for ratable disability.

Vol. 43, p. 618.

Death allowances.

SEC. 8. That paragraph (1) of section 201 of the World War Veterans' Act, 1924, approved June 7, 1924, be amended, to read as follows:

Burial expenses, if dying in service.
Vol. 43, p. 1305, amended.

"(1) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed \$100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service and does not leave assets which, in the judgment of the director, should be applied to meet the expenses of burial and funeral and the transportation of the body (the decision of the director to be binding for all purposes), the United States Veterans' Bureau shall pay the following sums: For a flag to drape the casket, and after burial to be given to the next of kin of the deceased, a sum not exceeding \$7; also, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding \$100 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, the above benefits shall be payable in all cases and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *And provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed."

Of veterans of any war, including contract women nurses during war with Spain, if indigent.

Specified allowances.

Provisos.
Bureau beneficiaries.

Beneficiaries dying away from home, etc., additional allowances paid for cost of transporting body, etc.

Cost of attendant.

No deduction of accrued pension, etc.

Disability compensation.

Total and permanent rate.

Provisos.
Specific disabilities rated.

Vol. 43, p. 618, amended.
Loss of speech added.

Additional for blindness, etc.

SEC. 9. Paragraphs 3, 7, and 10 of section 202 are hereby amended to read as follows:

"SEC. 202. (3) If and while the disability is rated as total and permanent, the rate of compensation shall be \$100 per month: *Provided, however*, That the permanent loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total, permanent disability: *Provided further*, That the compen-

sation for the loss of the use of both eyes shall be \$150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be \$200 per month: *Provided further*, That for double total, permanent disability the rate of compensation shall be \$200 per month.

Double total disability.

"That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as temporarily totally disabled, said rating to continue for the period of three years: *Provided, however*, That nothing in this subdivision shall deny the beneficiary the right, upon presentation of satisfactory evidence, to be adjudged to be permanently and totally disabled: *Provided further*, That in addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for care and treatment of the insane, and shall be furnished with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided*, That nothing in this Act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided, further*, That where any person entitled to the benefits of this paragraph has heretofore been hospitalized in a State institution, the United States Veterans' Bureau is hereby authorized to reimburse such person, or his estate, where payment has been made to the State out of the funds of such person, or to reimburse the State or any subdivision thereof where no payment has been made for the reasonable cost of such services from the date of admission.

Rating of tuberculous disease as temporary total, if discharged from hospital without condition of arrest thereof, etc.

Proviso.
Right for permanently total rating.

Medical services, surgical appliances, court costs, etc., to be furnished in addition to compensation.

Army or Navy status before discharge not affected.

Reimbursement for payments for State hospital treatment.

"(7) Where any disabled person having neither wife, child, nor dependent parent shall, after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be \$20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however*, That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his compensation has been reduced through the provisions of this subdivision.

Compensation for disabled persons in insane institutions.

Proviso.
Additional allowance on recovery.

"All or any part of the compensation, of any mentally incompetent inmate of an institution, may, in the discretion of the director, be paid to the chief officer of said institution to be properly accounted for and to be used for the benefit of such inmate, or may, in the discretion of the director, be apportioned to wife, child, or children, or dependent parents, in accordance with regulations.

Payment of compensation to institution for use of inmate, etc.

Direct to family authorized.

Compensation to ex-service person with arrested tuberculous disease.

Provisos.
Temporary total rating permitted.

No payments retroactive.

Compensation for veterans, without dependents, maintained by Bureau, after June 30, 1927.

Post, p. 1390.

Hospital facilities, etc., available for Spanish War, etc., veterans with specified diseases. Vol. 43, p. 620, amended.

To veterans of any war, including women nurses, 1898-1901, not dishonorably discharged, etc., without regard to origin.

Provisos.
Application of laws to contract women nurses, 1898-1901.

Preference to needy veterans.

Clothing supplied.

Prosthetic appliances.

No deduction from pension for board, etc., at Government hospitals.

Modification for patients at Saint Elizabeths Hospital, D. C.

Vol. 35, p. 592.

"That any ex-service person shown to have had a tuberculous disease of a compensable degree, who in the judgment of the director has reached a condition of complete arrest of his disease, shall receive compensation of not less than \$50 per month: *Provided, however,* That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further,* That no payments under this provision shall be retroactive and the payments hereunder shall commence from the date of the passage of this Act or the date the disease reaches a condition of arrest, whichever be the later date.

"After June 30, 1927, the monthly rate of compensation for all veterans (other than those totally and permanently disabled), who are being maintained by the bureau in an institution of any description, and who are without wife, child, or dependent parents, shall not exceed \$40.

"(10) That all hospital facilities under the control and jurisdiction of the bureau shall be available for every honorably discharged veteran of the Spanish-American War, the Philippine insurrection, the Boxer rebellion, or the World War suffering from neuropsychiatric or tubercular ailments and diseases, paralysis agitans, encephalitis lethargica, or amœbic dysentery, or the loss of sight of both eyes, regardless whether such ailments or diseases are due to military service or otherwise, including traveling expenses as granted to those receiving compensation and hospitalization under this Act. The director is further authorized, so far as he shall find that existing Government facilities permit, to furnish hospitalization and necessary traveling expenses incident to hospitalization to veterans of any war, military occupation, or military expedition, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, not dishonorably discharged, without regard to the nature or origin of their disabilities: *Provided,* That any and all laws applicable to women who belonged to the Nurse Corps of the Army after February 2, 1901, shall apply equally to members of the Army Nurse Corps who served under contract between April 21, 1898, and February 2, 1901, including all women who served honorably as nurses, chief nurses, or superintendent of said corps in said period: *Provided,* That preference to admission to any Government hospital for hospitalization under the provisions of this subdivision shall be given to those veterans who are financially unable to pay for hospitalization and their necessary traveling expenses: *Provided further,* That where a veteran hospitalized under the authority of this subdivision is financially unable to supply himself with clothing, he shall also be furnished with such clothing as the director may deem necessary: *Provided further,* That where a veteran entitled to hospitalization under this subdivision is suffering with a disease or injury necessitating the wearing of a prosthetic appliance and is financially unable to supply himself with same, upon an affidavit to that effect the director is hereby authorized to furnish such appliance and to effect necessary repairs to the same without cost to the veteran: *And provided further,* That the pension of a veteran entitled to hospitalization under this subdivision shall not be subject to deduction, while such veteran is hospitalized in any Government hospital, for board, maintenance, or any other purpose incident to hospitalization: *Provided further,* That the Act of May 4, 1898, entitled 'An Act making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes,' the Act of February 28, 1861, as amended by the Act of February 2, 1909, relative to the Government hospital for the insane in the District of Columbia,

or any other Act, in so far as they are inconsistent with the provisions of this section be, and they are, hereby modified accordingly."

"In the insular possessions or Territories of the United States the director is further authorized to furnish hospitalization in other than Government hospitals."

Treatment in insular possessions or Territories.
Vol. 43, p. 1308, amended.
Vol. 43, p. 622, amended.

SEC. 10. That section 203 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 203. That every person applying for or in receipt of compensation for disability under the provisions of this title and every person applying for treatment under the provisions of subdivisions (9) or (10) of section 202 hereof, shall, as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the director. He may have a duly qualified physician designated and paid by him present to participate in such examination. For all examinations he shall, in the discretion of the director, be paid his reasonable traveling and other expenses and also a per diem allowance of \$2.65 per day for the period of travel and observation. If he shall neglect or refuse to submit to such examination, or shall in any way obstruct the same, his right to claim compensation under this title shall be suspended until such neglect, refusal, or obstruction ceases. No compensation shall be payable while such neglect, refusal, or obstruction continues, and no compensation shall be payable for the intervening period."

Medical examination of applicants or beneficiaries.
Vol. 43, p. 620.
Ante, p. 796.

Allowance for expenses.

Rights suspended if examination refused.

SEC. 11. That section 206 of the World War Veterans' Act of 1924, approved June 7, 1924, be, and the same is hereby, amended to read as follows:

Vol. 43, p. 622, amended.

"SEC. 206. That no compensation shall be payable for death or disability which does not occur prior to or within one year after discharge or resignation from the service, except as provided in section 200 of this Act, and except where there is an official record of the injury during service or at the time of separation from active service, or where within three years from the approval of this Act, satisfactory evidence is furnished the bureau to establish that the injury was suffered or aggravated during active service. Where there is official record of injury during service compensation shall be payable in accordance with the provisions of this title, for death or disability whenever occurring, proximately resulting from such injury."

No compensation payable unless disability, etc., occurred prior to, or within a year after, discharge.
Exceptions.

Restriction removed if official record of its existence.

SEC. 12. That section 209 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

Vol. 43, p. 623, amended.

"SEC. 209. That no compensation shall be payable and that (except as provided by subdivision (10) of section 202 hereof) no treatment shall be furnished unless a claim therefor be filed in case of disability within five years after discharge or resignation from the service, or in case of death during the service, within five years after such death is officially recorded in the department under which he may be serving: *Provided, however,* That where compensation is payable for death or disability occurring after discharge or resignation from the service, claim must be made within five years after such death or the beginning of such disability.

Time limit for presenting claims.

Exceptions.
Ante, p. 796.

Provido.
Death, etc., after discharge.

"The time herein provided may be extended by the director not to exceed five years for good cause shown. If at the time that any right accrues to any person under the provisions of this title such person is a minor, or is of unsound mind or physically unable to make a claim, the time herein provided shall not begin to run until such disability ceases."

Extension permitted.
For minors, etc.

SEC. 13. That section 212 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

Vol. 43, p. 623, amended.

Purposes of Act.

Other pension laws, etc., not applicable.

Provisos.
Retirement laws of Army or Navy excepted.

No payment if in active or retired service.

Service period not applicable to compensation and rehabilitation.

Ratings applicable to accrued rights.

Vol. 43, pp. 618, 1306.

Vol. 43, p. 630.

Insurance.
Vol. 43, p. 624, amended.

Granted to all persons in active service under War or Navy Department, upon application.

Time for making.

Provisos.
Members of reserves, applying at training stations, etc.

Application to Coast Guard Service.

Beneficiaries allowed.

Beneficiaries recognized if within permitted class when designated.

"SEC. 212. This Act is intended to provide a system for the relief of persons who were disabled, and for the dependents of those who died as a result of disability suffered in the military service of the United States between April 6, 1917, and July 2, 1921. For such disabilities and deaths no other pension laws or laws providing for gratuities or payments in the event of death in the service shall be applicable: *Provided, however,* That the laws relating to the retirement of persons in the regular military or naval service shall not be considered to be laws providing for pensions, gratuities, or payments within the meaning of this section: *And provided further,* That compensation under this title shall not be paid while the person is in receipt of active service or retirement pay, this proviso to be effective as of April 6, 1917. Titles II and IV of this Act shall not be applicable to any disability or resultant death in the service if such disability occurred as a result of service prior to April 6, 1917, or after July 2, 1921: *Provided, however,* That the schedule of ratings provided by section 202 (4) of this statute shall hereafter be applicable to disabilities occurring as a result of service prior to April 6, 1917, or after July 2, 1921, wherever a person has an accrued right to compensation under section 602 of the World War Veterans' Act, 1924."

SEC. 14. That section 300 of the World War Veterans' Act, 1924, approved June 7, 1924, as amended March 4, 1925, is hereby amended to read as follows:

"SEC. 300. In order to give to every commissioned officer and enlisted man and to every member of the Army Nurse Corps (female) and of the Navy Nurse Corps (female) when employed in active service under the War Department or Navy Department protection for themselves and their dependents, the United States, upon application to the bureau and without medical examination, shall grant United States Government life insurance (converted insurance) against the death or total permanent disability of any such person in any multiple of \$500, and not less than \$1,000 or more than \$10,000, upon the payment of the premiums as hereinafter provided. Such insurance must be applied for within one hundred and twenty days after enlistment or after entrance into or employment in the active service and before discharge or resignation: *Provided,* That any member of the reserve forces whose application was accepted at a time when he was in attendance at a military or naval training camp or station, and from whom premiums were collected, and who becomes or has become totally or permanently disabled, or dies or has died, shall be deemed to have made valid application therefor. This proviso shall not authorize the granting of more than \$10,000 insurance to any one person: *Provided further,* That each officer and enlisted man of the Coast Guard who is serving on active duty at the time of the passage of this amendatory Act, or who subsequent thereto enters the Coast Guard Service, shall be granted insurance in accordance with the terms of this section upon application within one hundred and twenty days of the passage of this amendatory Act, or date of enlistment or entry into the Coast Guard, whichever is the later date, and before retirement, discharge, or resignation.

"The insurance shall be payable only to a spouse, child, grandchild, parent, brother, sister, uncle, aunt, nephew, niece, brother-in-law, or sister-in-law, or to any or all of them, and also during total and permanent disability to the injured person.

"Where a beneficiary at the time of designation by the insured is within the permitted class of beneficiaries and is the designated beneficiary at the time of the maturity of the insurance because of the death of the insured, such beneficiary shall be deemed to be

within the permitted class even though the status of such beneficiary shall have been changed.

"The United States shall bear the expenses of administration and the excess mortality and disability cost resulting from the hazards of war. The premium rates shall be the net rates based upon the American Experience Table of Mortality and interest at 3½ per centum per annum. This section shall be deemed to be in effect as of June 7, 1924."

SEC. 15. That section 304 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 304. In the event that all provisions of the rules and regulations other than the requirements as to the physical condition of the applicant for insurance have been complied with an application for reinstatement, in whole or in part, of lapsed or canceled yearly renewable term insurance or United States Government life insurance (converted insurance) hereafter made may be approved if made within one year after the passage of this amendatory Act or within two years after the date of lapse or cancellation: *Provided*, That the applicant's disability is the result of an injury or disease, or of an aggravation thereof, suffered or contracted in the active military or naval service during the World War: *Provided further*, That the applicant during his lifetime submits proof satisfactory to the director showing that he is not totally and permanently disabled. As a condition, however, to the acceptance of an application for the reinstatement of lapsed or canceled yearly renewable term insurance, where the requirements as to the physical condition of the applicant have not been complied with, or, for the reinstatement of the United States Government life insurance (converted insurance), the applicant shall be required to pay all the back monthly premiums which would have become payable if such insurance had not lapsed, together with interest at the rate of 5 per centum per annum, compounded annually, on each premium from the date said premium is due by the terms of the policy: *Provided further*, That where within one year of this amendatory Act all of the requirements for reinstatement of yearly renewable term insurance under this section are complied with, except the payment of unpaid premiums with interest, and proof satisfactory to the director is furnished showing the applicant is unable to pay such premiums with interest or some part thereof, the application may be approved, and the amount of unpaid premiums with interest as provided in this section shall be placed as an interest-bearing indebtedness against the insurance, such indebtedness to bear interest at the rate of 5 per centum per annum, compounded annually, to be deducted in any settlement thereunder: *And provided further*, That no yearly renewable term insurance shall be reinstated after July 2, 1927."

SEC. 16. That section 305 of the World War Veterans' Act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 305. Where any person has heretofore allowed his insurance to lapse, or has canceled or reduced all or any part of such insurance, while suffering from a compensable disability for which compensation was not collected and dies or has died, or becomes or has become permanently and totally disabled and at the time of such death or permanent total disability was or is entitled to compensation remaining uncollected, then and in that event so much of his insurance as said uncollected compensation, computed in all cases at the rate provided by section 302 of the War Risk Insurance Act as amended December 24, 1919, would purchase if applied as premiums when due, shall not be considered as lapsed, canceled or reduced; and the United States Veterans' Bureau is hereby authorized and directed to pay to said soldier, or his beneficiaries, as the case may be,

Expenses borne by United States.

Premium rates.

Reinstated insurance. Vol. 43, p. 1310, amended.

Approval of application for, without medical examination.

Provided. If disability from World War service.

Proof of not totally disabled, required.

Back premiums to be paid.

Allowance within one year if applicant unable to pay back premiums, etc.

Deduction of unpaid premiums, etc., in settlement.

No reinstatement after July 2, 1927.

Vol. 43, p. 626, amended.

Payment for insurance lapsed, etc., while suffering from compensable disability.

Computation for. Vol. 41, p. 378.

Amounts authorized.

Proviso.
Beneficiaries of re-
vived insurance.
Infra.

New section.
Vol. 43, p. 627, amend-
ed.

Payment of amount
to reinstate allowed
lapsed insurance.

Condition.

New section.
Vol. 43, p. 627, amend-
ed.

Amount to be paid
if insurance lapse, and
insurer die before Feb-
ruary 24, 1919, and
bonus uncollected.

Vocational training.
Vol. 43, p. 628, amend-
ed.

No training after
June 30, 1926.

Proviso.
Continuance if re-
ceiving placement or
school training.

Vol. 43, pp. 627, 628.

Sum available.

Penalties.
Vol. 43, p. 1312,
amended.

Applicable to Philip-
pine Islands.

Veterans' Bureau.
Vol. 43, p. 608, amend-
ed.

Established under
the President.
Director, appoint-
ment and salary.

the amount of said insurance less the unpaid premiums and interest thereon at 5 per centum per annum compounded annually in installments as provided by law: *Provided*, That insurance hereafter revived under this section and section 309 by reason of permanent and total disability or by death of the insured, shall be paid only to the insured, his widow, child or children, dependent mother or father, and in the order named unless otherwise designated by the insured during his lifetime or by last will and testament."

SEC. 17. That a new section be added to the World War Veterans' Act, 1924, approved June 7, 1924, to be known as section 308, to read as follows:

"SEC. 308. Wherever yearly renewable term insurance or United States Government life (converted) insurance has heretofore lapsed for the nonpayment of premiums, and the insured has forwarded to the United States Veterans' Bureau, not later than the seventh day of the month following the month for which the unpaid premium was due, an amount sufficient to reinstate the insurance under bureau regulations heretofore or hereafter issued, the director of the bureau is hereby authorized and directed to reinstate such insurance whenever it is shown to his satisfaction that the insured was at the time of the making of the remittance in the state of health required by bureau regulations."

SEC. 18. That a new section be added to the World War Veterans' Act, 1924, approved June 7, 1924, to be known as section 309, and to read as follows:

"SEC. 309. Where any person allowed his insurance to lapse and died after February 24, 1919, and prior to collecting the \$60 bonus provided by the Act of February 24, 1919 (Fortieth Statutes at Large, page 1151), then and in that event his insurance shall not be considered as lapsed during such period as said uncollected bonus would, if applied to the payment of premiums when due, equal or exceed the same, and the United States Veterans' Bureau is hereby authorized and directed to pay to his beneficiaries under said policy the amount of said insurance, less the premiums and interest thereon at 5 per centum per annum, compounded annually, in installments, as provided by law."

SEC. 19. That section 406 of the World War Veterans' Act, 1924, as amended be further amended to read as follows:

"SEC. 406. That no vocational training shall be granted after June 30, 1926, and except as provided by section 404 hereof, no training allowance shall thereafter be paid to any person: *Provided*, That any person who is receiving placement training on June 30, 1926, may be continued in such training to January 1, 1927, and any person receiving educational training in schools or institutions on June 30, 1926, may be continued in training for not more than two years after the passage of this amendatory Act, and may be paid the maintenance and support allowance provided by sections 401 and 404 hereof. For the purposes of this section the unexpended balance of the appropriation for vocational rehabilitation for the fiscal year, 1926, shall be available."

SEC. 20. That a new section be added to Title V of the World War Veterans' Act, 1924, approved June 7, 1924, to be known as section 506, and to read as follows:

"SEC. 506. The provisions of this title shall be applicable to the administration of this Act in the Philippine Islands."

SEC. 21. That the first paragraph of section 4 of the World War Veterans' Act, 1924, be, and the same is hereby, amended to read as follows:

"SEC. 4. There is established an independent bureau under the President to be known as the United States Veterans' Bureau, the

director of which shall be appointed by the President by and with the advice and consent of the Senate. The Director of the United States Veterans' Bureau shall receive a salary of \$12,000 per annum, payable monthly."

Approved, July 2, 1926.

CHAP. 724.—An Act Authorizing the Citizen Band of Pottawatomie Indians in Oklahoma to submit claims to the Court of Claims.

July 2, 1926.
[S. 1963.]
[Public, No. 449.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred on the Court of Claims with the right of appeal to the Supreme Court of the United States by either party as in other cases, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of the treaty of February 27, 1867 (Fifteenth Statutes at Large, page 531), or arising under or growing out of any subsequent Act of Congress in relation to Indian affairs which said Citizen Band of Pottawatomie Indians of Oklahoma may have against the United States, which claims have not heretofore been determined and adjudicated by the Court of Claims or the Supreme Court of the United States.

Pottawatomie In-
dians, Okla.
Claims of Citizen
Band of, to be adjudicated in Court of
Claims.
Vol. 15, p. 531.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit or suits be instituted or petition filed as herein provided in the Court of Claims within five years from the date of the approval of this Act, and such suit or suits shall make the Citizen Band of Pottawatomie Indians of Oklahoma party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the said Citizen Band of Pottawatomie Indians approved in accordance with existing law; and said contract shall be executed in their behalf by a committee or committees to be selected by said Citizen Band of Pottawatomie Indians. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Citizen Band of Pottawatomie Indians to such treaties, papers, correspondence, or records as they may require in the prosecution of any suit or suits instituted under this Act.

Time for filing.

Verification, etc.

Evidence admitted.

SEC. 3. In said suit or suits the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against the said Citizen Band of Pottawatomie Indians, but any payment or payments which may have been made by the United States upon any such claim shall not operate as an estoppel, but may be pleaded as a set-off in such suit or suits, as may any gratuities paid to or expended for said Indians subsequent to February 27, 1867.

Consideration of
counterclaims.

SEC. 4. The court shall join any other tribe or band of Indians that may be necessary to a final determination of any suit brought under this Act. Upon the final determination of such suit or cause of action, the Court of Claims shall have jurisdiction to decree the fees to be paid to the attorney or attorneys, not to exceed 10 per centum of the amount of the judgment, if any, recovered in such cause, and in no event to exceed the sum of \$25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid out of any judgment that may be recovered, and the balance of such judgment shall be placed in the

Joining of other
tribes.
Attorneys' fees, etc.,
by decree of court.

Balance of judgment
to credit of Indians in
the Treasury.